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Lehman Brothers Inc. and J.P. Morgan Securities Inc.  
9 and Former Defendant Piper Jaffray & Co.

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION  
13

14 In re SHORETEL, INC. SECURITIES  
15 LITIGATION

Case No. 08-cv-00271 CRB

**STIPULATION AND ~~[PROPOSED]~~  
ORDER**

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17 This Document Relates To:  
18 ALL ACTIONS.  
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A/72613552.2/2017670-0000330918

1 WHEREAS, on July 11, 2008, the Court entered a Stipulation and Order Setting  
2 Briefing Schedule and Hearing on Defendants' Motions to Dismiss Consolidated Amended Class  
3 Action Complaint ("July 11, 2008 Stipulation and Order") that inadvertently identified Piper  
4 Jaffray & Co. ("Piper") as a defendant and required it to comply with certain briefing and  
5 hearing deadlines for anticipated motions to dismiss;

6 WHEREAS, Plaintiffs did not name Piper as a defendant in their Consolidated  
7 Amended Class Action Complaint for Violations of Federal Securities Laws (the "Consolidated  
8 Complaint"), filed on June 27, 2008, and Piper therefore is not party to this action;

9 **IT IS ACCORDINGLY STIPULATED**, by and between the undersigned  
10 counsel, that the July 11, 2008 Stipulation and Order does not apply to Piper and Piper need not  
11 comply with any of its provisions.

12 DATED: August 8, 2008

BINGHAM MCCUTCHEN LLP

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14 By: /s/ Charlene S. Shimada  
15 Charlene S. Shimada  
16 Attorneys for Defendants  
Lehman Brothers Inc. and J.P. Morgan Securities Inc.  
and Former Defendant Piper Jaffray & Co.

17 DATED: August 8, 2008

FENWICK & WEST LLP

18  
19 By: /s/ Jennifer L. Kelly  
20 Jennifer L. Kelly  
21 Attorneys for Defendants ShoreTel, Inc.; John W.  
22 Combs; Michael E. Healy; Edwin J. Basart; Gary J.  
Daichendt; Thomas Van Overbeek; Kenneth D.  
Denman; Charles D. Kissner; and Edward F.  
Thompson

23  
24 DATED: August 8, 2008

KAHN GAUTHIER SWICK, LLC

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26 By: /s/ Kim E. Miller  
27 Kim E. Miller  
Lead Counsel for Lead Plaintiffs and the Class

~~[PROPOSED]~~ ORDER

IT IS SO ORDERED.

DATED: Aug. 11, 2008

By: \_\_\_\_\_

The Honorable Charles R. Breyer  
United States District Court

